

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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| ESTATE OF ISIDRO VALVERDE, by Alexander Valverde, Administrator, |) | |
| |) | |
| Plaintiff, |) | Case No. 24 CV 1134 |
| |) | |
| v. |) | The Hon. Joan B. Gottschall |
| |) | Judge Presiding |
| |) | |
| CITY OF CHICAGO, et al., |) | The Hon. Beth W. Jantz |
| |) | |
| Defendants. |) | Magistrate Judge |
| |) | |

JOINT STATUS REPORT

The parties submit the following initial joint status report pursuant to this Court's order of February 13, 2024 [Dkt. 4]:

I. ATTORNEYS FOR THE PARTIES

Plaintiff is represented by Melinda Power (lead), Philip DeVon and Janine L. Hoft.

Defendant City of Chicago is represented by Marion Moore (lead), Matthew H. Bunn and Simerdeep Kaur. Individual Defendant Police Officers Carcoma and Ulloa are represented by Gregory M. Beck (lead) and Benjamin J. Barr.

II. BASIS OF COURT'S JURISDICTION

The basis for federal jurisdiction is the Constitution of the United States, the Civil Rights Act, 42 U.S.C. §1983; the Judicial Code, 28 U.S.C. §§1331 and 1343(a); and supplementary jurisdiction, as codified in 28 U.S.C. §1367(a).

III. NATURE OF CASE

Plaintiff Estate alleges Individual Defendant Police Officers fatally shot Isidro Valverde with a firearm without just cause and/or failed to intervene to prevent said abuse, despite having the opportunity to do so, in violation of Valverde's rights guaranteed by the Fourth and

Fourteenth Amendments to the U.S. Constitution. Plaintiff Estate also brings pendant state law claims for Wrongful Death, Survival Claim, Funeral Expenses, Conspiracy and Battery. Further, Plaintiff Estate alleges that the City of Chicago, in addition to the Defendant Officers, is liable pursuant to *Monell v. Dept. of Soc. Serv. of New York*, 436 U.S. 658 (1978) and its progeny. Plaintiff Estate further alleges the City of Chicago is liable pursuant to Illinois state law of *respondeat superior*, 745 ILCS § 10/9-102 and negligent training and supervision.

Defendants deny these claims. There are no counterclaims anticipated at this time.

IV. SERVICE OF DEFENDANTS

All Defendants have been served and have appeared.

V. MAGISTRATE JUDGE

The parties do not consent to reassignment to the designated magistrate judge.

VI. JURY TRIAL

Plaintiff has demanded a trial by jury in this case.

VII. DISCOVERY AND SCHEDULE

The parties have not yet commenced discovery but have agreed to the following schedule as it pertains to the underlying claims:

Defendants will answer or otherwise plead by April 15, 2024.

Joiner of additional parties by June 28, 2024.

Amendment of pleadings by June 28, 2024.

The parties will exchange Fed. R. Civ. P. 26(a)(1) disclosures by April 26, 2024.

The parties anticipate completing discovery, other than expert, by February 28, 2025.

Plaintiff will disclose experts and their reports by March 28, 2025; and present them for their depositions by May 2, 2025. Defendants will disclose experts and their reports by May 30, 2025; and present them for their depositions by June 27, 2025.

Dispositive motions to be filed by July 27, 2025.

The City anticipates filing a motion to dismiss the independent claims against it (*Monell* and Negligent Training and Supervision) and will request of stay of discovery relating to these claims while said motion to dismiss is pending.

VIII. SETTLEMENT

The parties have preliminarily discussed settlement. Plaintiff will provide a demand by April 17, 2024. Defendants to respond by May 17, 2024. The parties will determine at that time whether further discussions would be premature prior to engaging in discovery.

IX. PROPOSED DATE OF FILING NEXT STATUS REPORT

The parties propose the next date for filing a status report would be June 17, 2024.

Respectfully submitted,

/s/

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Dated: April 15, 2024